



STATE PROCUREMENT OFFICE  
NOTICE OF REQUEST FOR EXEMPTION  
FROM HRS CHAPTER 103D

15 FEB 23 P1:26

ADMINISTRATION  
STATE PROCUREMENT OFFICE  
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Hawaii Housing Finance and Development Corporation  
*Name of Requesting Department*

Pursuant to HRS § 103D-102(b)(4) and HAR chapter 3-120, the Department requests a procurement exemption for the following:

1. Describe the goods, services or construction:

Real estate consulting services to assist HHFDC in negotiating and contracting with a private developer for the development of a State-owned parcel located within the Villages of Kapolei, Oahu, Hawaii, identified by TMK: (1) 9-1-016:035, and referred to as Northwest Corner.

2. Vendor/Contractor/Service Provider: Economic and Planning Systems, Inc.

3. Amount of Request:  
\$ 228,439.00

4. Term of Contract From: 23-Apr-15 To: 22-Apr-16

5. Prior SPO-007, Procurement Exemption (PE): N/A

6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means:

The Contractor was procured by HHFDC to assist in selecting and contracting with a developer for the property referenced in 1 above. However, selecting a developer took much longer than anticipated so the Contractor has only been able to complete 41-percent of the services required under the existing Contract. Negotiations began in January 2015 and are expected to last for at least 12 months, but the Contract expires on April 22, 2015. HHFDC needs Contractor to complete the remaining services, including assisting HHFDC in negotiations with the selected developer on the terms and conditions of a development agreement and conveyance of the property. It would not be practicable or advantageous at this point to procure by competitive means because a new solicitation process would cost HHFDC in terms of time and financial resources, and furthermore, a new contractor would need to familiarize and acquaint itself with the transaction, which could cause a significant delay in negotiations and further cost HHFDC in terms of time and financial resources. Contractor has the experience and expertise necessary to facilitate the negotiations and finalize the development agreement and land disposition documents, and Contractor is already familiar with the transaction, having assisted HHFDC in qualifying and selecting a developer.

7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:

The Contractor was originally procured via the competitive sealed proposals method (RFP) in accordance with Section 103D-303, HRS. This initial Contract was for a term of one year with options to extend for up to two additional six-month periods. HHFDC has exhausted its options to extend so the current Contract will expire on April 22, 2015.

HHFDC is requesting an exemption from Section 103D-303, HRS, to enter into a new agreement with the current Contractor for a term of 12 months to complete the remaining services. All existing terms and conditions will remain the same (e.g., no additional compensation and no changes to the scope of services). The contract amount requested in 3 above is the remainder due on the current Contract after accounting for the 41-percent of completed services. The amount is reasonable because it is within the budget allotted by HHFDC for completion of this project, and it fell in the mid-to-low range of prices submitted by proposers who responded to the RFP for the existing contract.

8. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).

\*Point of contact (Place asterisk after name of person to contact for additional information).

Name	Division/Agency	Phone Number	e-mail address
Krystal-Lee Tabangcura*	HHFDC	587-3179	krystal-lee.k.tabangcura@hawaii.gov
Richard Prahler	HHFDC	587-0527	richard.k.prahler@hawaii.gov
Ken Takahashi	HHFDC	587-0547	ken.t.takahashi@hawaii.gov

*All requirements/approvals and internal controls for this expenditure is the responsibility of the department.  
I certify that the information provided above is, to the best of my knowledge, true and correct.*



Department Head Signature

2/20/2015

Date

### For Chief Procurement Officer Use Only

Date Notice Posted: 2/26/15

Inquiries about this request shall be directed to the contact named in No. 8. Submit written objection to this notice to issue an exempt contract within seven calendar days or as otherwise allowed from date notice posted to:

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

This approval is for the period 4/23/2015 to 4/22/2016 and is for the solicitation process only. HRS section 103D-310(c) and HAR section 3-122-112 shall apply (i.e. vendor is required to provide proof of compliance) and award is required to be posted on the Awards Reporting System. Copies of the compliance and awards posting are required to be documented in the procurement/contract file.

If there are any questions, please contact Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov.

☒ Approved

☐ Disapproved

☐ No Action Required



Chief Procurement Officer Signature

3/9/15

Date